

REMARKS

STATEMENT OF SUBSTANCE OF INTERVIEW

On November 29, the undersigned attorney called Examiner Alam to discuss some apparent discrepancies in the Office Action. As a result, it was agreed that (with respect to the claim objections on page 2 of the Office Action) claim 2 is **properly dependent** on claim 3, claim 8 is properly dependent on claim 3, but that claim 9 should be corrected to be dependent on claim 8. Furthermore, paragraph 4 on page 3 of the Office Action should read "claims 1-6 **and 8-14** are rejected under 35 U.S.C. § 103(a)...". In addition, the rejections applied to claim 8 and claim 9 on page 6 of the Office Action should read "as applied to claim 3" (**not to claim 7**).

* * *

Applicant respectfully traverses the rejection of claim 7 under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Fukuda '346 in view of Kaneko '118 (**newly cited**). Kaneko's earliest effective date as a reference is **February 27, 2003**, whereas Applicant's Japanese priority date is **December 13, 2002**. Thus, Applicant submits herewith a copy of a certified English translation of the Japanese priority application 2002-362001, thereby perfecting Applicant's claim to the priority date of **December 13, 2002**, and disqualifying Kaneko as a reference.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claim 7.

Applicant cancels, without prejudice, claims 1-6 and 8-14, to obtain allowance of the application, but does not acquiesce in any of the rejections of any of the claims under 35 U.S.C. § 103(a).

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. APPLN. NO. 10/730,945

REQUEST FOR INTERVIEW

Since Applicant only has canceled claims, Applicant respectfully submits that the application is now in condition for **allowance with claim 7**; however, if for any reason the Examiner feels that the application is not now in condition for allowance with claim 7, the Examiner is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,

/John H. Mion/
John H. Mion
Registration No. 18,879

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
(202) 663-7901

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

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